

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:21-cr-028-CWR-LGI

NANCY W. NEW et al.

**UNOPPOSED MOTION TO AUTHORIZE
CLERK OF COURT TO ACCEPT PREJUDGMENT PAYMENTS**

COMES NOW, the United States of America, by and through the United States Attorney for the Southern District of Mississippi and the undersigned Assistant United States Attorney, and files this Unopposed Motion to Authorize the Clerk of Court to Accept Prejudgment Payments in the instant case pursuant to 28 U.S.C. § 2041, and in support states as follows:

Defendants are obligated by their respective plea agreements to pay certain monetary penalties, including restitution. In accordance with those agreements, the Government has authorized companies which the Defendants control to sell the property located at 1203 Sgt. John Pittman Drive, Greenwood, Mississippi, (also known as the North New Summit campus) to preserve the net equity of the same to maximize assets available to pay toward those monetary penalties upon the Court's entry of judgment. *See* Exhibit A, Government Letter.

The Defendants in this case are unopposed to the application of net equity proceeds toward the payment of imposed monetary penalties at sentencing. Defendants have taken steps to formally authorize the applicable companies, through binding resolutions, to transfer the net equity of the sale of the identified property into the registry of the Court for the purpose of applying such proceeds to any criminal monetary penalty imposed at sentencing. *See* Exhibit B, Resolution.

Pursuant to 28 U.S.C. § 2041, the Court may authorize the Clerk to receive funds before the Court's judgment is issued or docketed to make payment towards an anticipated special assessment, restitution, fine, or other monetary penalty.

To facilitate the parties' plea agreement, the government moves the Court to enter an order authorizing the Clerk to accept prejudgment payments pursuant to 28 U.S.C. § 2041. Withdrawals for application of such funds toward criminal monetary penalties imposed against the Defendants upon entry of judgment shall be entered separately pursuant to 28 U.S.C. § 2042, by order of the Court.

Respectfully submitted, this the 1st day of April 2024.

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